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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,319	10/03/2002	John Graf	126342-1	9308

23413 7590 10/26/2004

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EXAMINER

TSIDULKO, MARK

ART UNIT	PAPER NUMBER
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2875

DATE MAILED: 10/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/065,319

Applicant(s)

GRAF ET AL.

Examiner

Mark Tsidulko

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,5,8-15,17,18,21-28 and 31-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 1,2,4,5,8-15,17,18,21-28,31-38 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 October 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37,CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 101904.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

The submission of amendment filed on 7/15/04 is acknowledged. At this point claims 1, 2, 5, 8, 9, 11, 12-15, 18, 21, 22, 24-26 have been amended, claims 3, 6, 7, 16, 19, 20, 29 and 30 have been canceled, new claims 31-38 have been added and the remaining claims left unchanged. Thus, claims 1, 2, 4, 5, 8-15, 17, 18, 21-28 and 31-38 are at issue in the instant application.

This application is in condition for allowance except for the following formal matters:

Claim Objections

Claims 1, 2, 4, 5, 8-15, 17, 18, 21-28 and 31-38 are objected to because of the following informalities:

Claims 1, 12-14, 25, 26, 31, 34 and 35 are objected, because they disclose an ASTM standards. Claims can not have a standards, because they can be changed.

Claims 2, 4, 5, 8-11 are objected as claims depended on claim 1.

Claims 15, 17, 18, 21-24, 27 and 28 are objected as claims depended on claim 14.

Claims 32 and 33 are objected as claims depended on claim 31.

Claims 36 and 37 are objected as claims depended on claim 35.

Appropriate correction is required.

Allowable Subject Matter

Claims 1, 2, 4, 5, 8-15, 17, 18, 21-28 and 31-38 are allowed.

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The following is an examiner's statement of reasons for allowance:

Referring to Claims 1 and 14 the prior art of record fails to show a bulk light diffusing material having 95 - 99.8% by weight of a polycarbonate and 0.2 - 5% by weight of light diffusing particles, wherein the particles have a refractive index of 1.43 to 1.49 and bulk light diffusing material has at least 70% of transmittance and a haze of at least 10%.

Claims 2, 4, 8-13 are allowed as claims depended on claim 1.

Claims 15, 17, 18, 21-28 are allowed as claims depended on claim 14.

Referring to Claims 31 and 35 the prior art of record fails to show a bulk light diffusing material having 95 - 99.8% by weight of a polycarbonate and 0.2 - 5% by weight of light diffusing particles, wherein the difference between the refractive index of the polycarbonate and the refractive index of the light diffusing particles is about 0.1 to about 0.16 and bulk light diffusing material has at least 70% of transmittance and a haze of at least 10%.

Claims 32 and 33 are allowed as claims depended on claim 31.

Claims 36 and 37 are allowed as claims depended on claim 35.

Referring to Claims 34 and 38 the prior art of record fails to show a bulk light diffusing material having 95 - 99.8% by weight of a polycarbonate and 0.2 - 5% by weight of light diffusing particles, wherein the particles have poly(methylmethacrylate), hydrolyzed poly(alkyl trialkoxysilane) or combination thereof and bulk light diffusing material has at least 70% of transmittance and a haze of at least 10%.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Tsidulko whose telephone number is (571)272-2384. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306 for all communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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M.T.

October 19, 2004


Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800